IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1006 OF 2006
IN
SUMMARY SUIT NO.1221 OF 2003

Jain Adhyaatm Study Circles
Federation and another ....Plaintiffs
V/s.
Vijay G. Tapse ....Defendant

Mr.Dinesh Joshi i/b Little & Co. for the Defendant in support.
Mr.Nikhil Rodrigues i/b Desai & Diwanji for the Plaintiff to show cause.

CORAM : S.J. VAZIFDAR, J.
DATED : 20TH NOVEMBER, 2006.

P.C. :

1. It appears that the affidavit in reply was filed. In fact affidavit in rejoinder thereto was also filed. Through inadvertence the advocate did not remain present on 23.8.2005. In the circumstances, the affidavit remained to be filed in Court.

2. In the circumstances, the Notice of Motion is made absolute in terms of prayers (a) and (b). However, the attachment shall continue and shall be subject to the orders on the Summons for Judgment. No further steps in the attachment shall be taken at this stage.

3. The Defendant is granted four weeks time to file the written statement. Affidavit of documents within six weeks thereafter. Discovery and inspection forthwith thereafter. The Defendant shall also disclose all his assets moveable and immovable within four weeks from today.

4. The Defendant shall pay the Plaintiff costs of this Notice of Motion fixed at Rs.5000/- within four weeks from today.